UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,750	08/19/2003	Norihito Fujita	040405-0364	3763

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 September 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _28-31,38 and 39_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _28-31, 38 and 39_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is responsive to the Amendment filed 9/7/2007.

Claim Rejections - 35 USC § 102

1.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

2.   Claims 28, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by

Ebrahim (US 6154777).

Regarding **claim 28**, Ebrahim discloses:

A packet transfer method resolution server (Fig. 4 Server 150)

comprising:

a packet transfer method database (Fig. 4 Memory 170 can hold

the data used by Name Resolver 180, i.e. Col. 4 64-65, multiple binding

tables) where the correspondences between several types of information

contained in the packet and one or more type of information related to the

packet transfer method are registered, and

a packet transfer method resolution request acceptance section

(Fig. 4 Name Resolver 180) that accepts the packet transfer method

resolution request from the packet transfer equipment that transfers the

received packet to another node inquiring the information related to the

transfer method of said received packet (Fig.4 Requester 1 100, Fig. 3,

step 20) and specifying several types of information contained in said

received packet, (Col 5 items listed under A. (lines 23-38)) refers to said

packet transfer method database (it is inherent that in order to resolve the

information and provide a response to the requester that the binding

tables must be consulted as part of step 30 in Fig. 3) and replies one or

more type of information related to the transfer method of said received

packet to said packet transfer equipment (note the last step of claim 14,

wherein the destination address is transmitted to the requester).

wherein: the information provided to said packet transfer equipment

as the information related to the packet transfer method contains each of:

the information related to rewriting of the information contained in the

received packet, the information related to the information added to the

received packet, the information related to the information deleted from

the received packet, the information related to the control method of the

route through which the received packet is transferred and the information

related to the resource control method for the route through which the

received packet is transferred. (The destination address is related to

information to be re-written, deleted, added, controlling, and the resource

control for the packet because the process of rewriting the old address

and adding the new destination address involves adding and deleting

information from the packet. The destination address is determined based

off of multiple pieces of information, some of which are related to a control

method of the packet (i.e. the path it should take) and the resources on

the network (i.e. load balancing.).)

Regarding **claim 29 as applied to claim 28**, Ebrahim discloses:

a resource information collection section (Col. 2, lines 49-56

describe that the DNS server must have a way of knowing information

about network resources) and

an entry rewriting section (Col. 2, lines 49-56 describe that the DNS

server will alter its tables based off of the information obtained about the

network.)

3.   Claim 28 is rejected under 35 U.S.C. 102(e) as being anticipated by Petersen, et

al. (US 6985964 B1) hereafter Petersen.

Regarding **claim 28**, Petersen discloses:

a packet transfer method database (a database is inherent because

in Col. 3 lines 53-54 "routing lookups" is disclosed, and a lookup must

have a database to reference to obtain data) where the correspondences

between several types of information contained in the packet and one or

more type of information related to the packet transfer method are

registered, and

a packet transfer method resolution request acceptance section (search

engine PP 140) that accepts the packet transfer method resolution request

from the packet transfer equipment (Central processor 110 or Packet

deconstructor 130) that transfers the received packet to another node

inquiring the information related to the transfer method of said received

packet and specifying several types of information contained in said

received packet, (Note that a search argument, containing information

pulled from a packet is sent to the search engine PP (Col. 3, lines 35-48)

as a request for results on information in the packet that may be changed)

refers to said packet transfer method database (note that various types of

routing lookups can be performed. Col. 3, lines 53-54) and replies one or

more type of information related to the transfer method of said received

packet to said packet transfer equipment (Col 3 lines 56-57).

That the information resolved contains each of: information

related to the rewriting of the information contained in the received packet

(Col 3 lines 49-56 describe information which can be returned by the

search engine PP 140).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ebrahim

in view of Metin et al. (US 2002/0031142), hereafter Metin.

Regarding **claim 38**,

A DNS server (Fig. 4 Server 150) comprising:

an IP address/FQDN correspondence database (Fig. 4 memory

170 can hold the data used by Name Resolver 180 to resolve a domain

name or IP address i.e. Col. 4 64-65, multiple binding tables) and

a DNS resolution request acceptance section (Fig. 4 Name

Resolver 180) that accepts the IP address resolution request inquiring the

IP address corresponding to the FQDN from the packet transfer

equipment that transfers the received packet to another node, (Step 20,

Fig. 3) refers to said IP address/FQDN correspondence database (Fig. 3

Step 30) and replies the IP address corresponding to said FQDN to said

packet transfer equipment (Claim 14, "transmitting said destination

address to said requester) as well as accepts the FQDN resolution

request inquiring the FQDN corresponding to the IP address from said

packet transfer equipment, refers to said IP address/FQDN

correspondence database and replies the FQDN corresponding to said IP

address to said packet transfer equipment (It is inherent for a DNS server

to be able to accept rDNS (or reverse DNS) requests, i.e. the resolving of

a name from an IP address).

Ebrahim discloses all of the limitations of claim 38 except for the DNS

server comprising a resource control section that makes a request for resource

control of another node.

The general concept of making a resource control request is well known in

the art as taught by Metin ([0040] lines 3-7 describes a method of a switch

reserving network resources if necessary).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the DNS server of Ebrahim with the general concept of making a

resource control request as taught by Metin in order to free resources from the packet

transfer equipment so that packets may be transferred more quickly.

6.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Petersen and further in view of Metin.

Regarding **claim 30**,

a packet transfer method database (a database is inherent because

in Col. 3 lines 53-54 "routing lookups" is disclosed, and a lookup must

have a database to reference to obtain data) where the correspondences

between several types of information contained in the packet and one or

more type of information related to the packet transfer method are

registered, and

. a packet transfer method resolution request acceptance section (search

engine PP 140) that accepts the packet transfer method resolution request

from the packet transfer equipment (Central processor 110 or Packet

deconstructor 130) that transfers the received packet to another node

inquiring the information related to the transfer method of said received

packet and specifying several types of information contained in said

received packet, (Note that a search argument, containing information pulled from a packet is sent to the search engine PP (Col. 3, lines 35-48) as a request for results on information in the packet that may be changed) refers to said packet transfer method database (note that various types of routing lookups can be performed. Col. 3, lines 53-54) and replies one or more type of information related to the transfer method of said received packet to said packet transfer equipment (Col 3 lines 56-57).

Petersen discloses all the limitations of claim 30 except for the packet transfer resolution server sending a request for resource control as additional information to the packet transfer equipment.

The general concept of a packet transfer equipment needing to know if resource control is necessary is well known in the art as taught by Metin ([0039] lines 14-17 indicates that the required resources are indicated in a request for a packet transfer session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the packet transfer control method resolution server of Petersen with the general concept of a packet transfer equipment needing to know if resource control is necessary as taught by Metin in order to make sure that a packet receives the quality of network resources that it needs.

7.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ebrahim in view of Metin.

Regarding **claim 30,**

A packet transfer method resolution server (Fig. 4 Server 150) comprising:

a packet transfer method database (Fig. 4 Memory 170 can hold the data used by Name Resolver 180, i.e. Col. 4 64-65, multiple binding tables) where the correspondences between several types of information contained in the packet and one or more type of information related to the packet transfer method are registered, and

a packet transfer method resolution request acceptance section (Fig. 4 Name Resolver 180) that accepts the packet transfer method resolution request from the packet transfer equipment that transfers the received packet to another node inquiring the information related to the transfer method of said received packet (Fig.4 Requester 1 100, Fig. 3, step 20) and specifying several types of information contained in said received packet, (Col 5 items listed under A. (lines 23-38)) refers to said packet transfer method database (it is inherent that in order to resolve the information and provide a response to the requester that the binding tables must be consulted as part of step 30 in Fig. 3) and replies one or more type of information related to the transfer method of said received packet to said packet transfer equipment (note the last step of claim 14, wherein the destination address is transmitted to the requester).

Ebrahim discloses all the limitations of claim 30 except for the packet transfer resolution server sending a request for resource control as additional information to the packet transfer equipment.

The general concept of a packet transfer equipment needing to know if resource control is necessary is well known in the art as taught by Metin ([0039] lines 14-17 indicates that the required resources are indicated in a request for a packet transfer session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ebrahim with the general concept of a packet transfer equipment needing to know if resource control is necessary as taught by Metin in order to make sure that a packet receives the quality of network resources that it needs.

8.   Claims 31 and 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ebrahim and Metin as applied to claims 30 and 38 above, and further in view of Squire et al. (US 7139838 B1) hereafter Squire.

Regarding **claims 31 and 39**,

Ebrahim and Metin teach all of the limitations of claim 39 except for a packet transfer policy description section and an entry rewriting section.

The general concept of using a policy to rewrite network transfer method information is well known in the art as taught by Squire (note policy software module 106, which filters updates to network transfer information (Col. 2 lines 50-53) before deciding to distribute the information (i.e. re-write the databases) of peer equipments (Col 3 lines 2-6)).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the resolution server of Ebrahim with the general concept of using

a policy to rewrite network transfer method information as taught by Squire in order to ensure the integrity of the transfer method information.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael E. Keefer whose telephone number is (571) 270-1591. The examiner can normally be reached on Monday through Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MEK 9/14/2007